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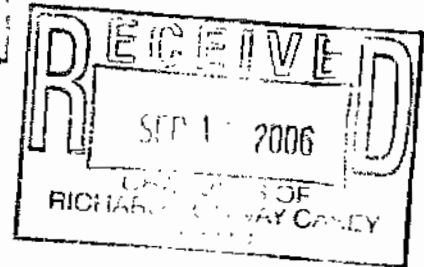
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BY FEDERAL EXPRESS

Hon. Richard Conway Casey
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1350
New York, New York 10007



Re: Merit Capital Group, LLC v. Trio Industries Management, LLC, Trio Industries Holdings, LLC and Robert E. Gyemant; No. 04 CV 7690 (RCC)

Dear Judge Casey:

We are counsel for defendants Robert Gyemant and the Trio Companies. We write to request that the conference scheduled for September 15 be rescheduled to September 29, the first Friday that the parties are available. I must request this adjournment because I will be engaged in a trial in Westchester County Supreme Court scheduled to begin on September 12 and continue through September 18. I enclose the Court's docket entry reflecting the trial date. All parties consent to this request, and pro se defendant Daniels has asked that we remind the Court he will be participating by telephone.

Thank you for your consideration of this application.

Respectfully yours,

David S. Frydman

cc: David Lackowitz, Esq. (w/encl.) (by fax)
Counsel for Plaintiff
Mr. Evan Daniels (w/encl.) (by fax)
Defendant Pro Se

The status conference
is adjourned to
Friday, September
29, 2006 at 10:30 am.
So ordered.

9/12/06